

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DAWN and MARCUS KAMINSKI,

Plaintiffs, 6:10-CV-1399

-v-

STATE OF NEW YORK, et al.

Defendants.

APPEARANCES:

DAWN KAMINSKI
MARCUS KAMINSKI
Plaintiffs, Pro se
120 Leah Street
Utica, NY 13501

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiffs brought this civil rights action pursuant to 42 U.S.C. § 1983. On June 1, 2011, the Honorable George H. Lowe, United States Magistrate Judge, advised, by Report-Recommendation, that plaintiffs' in forma pauperis application be denied, the request for a motion to strike and for sanctions be denied as moot, and the amended complaint be dismissed with prejudice. Plaintiffs timely filed objections to the Report-Recommendation.

Based upon a de novo determination of the portions of the Report-Recommendation to which plaintiffs objected, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. The in forma pauperis application (Dkt. No. 13) is DENIED;
2. The Request for Motion to Strike and for Sanctions (Dkt. No. 24) is DENIED;
3. The amended complaint (Dkt. No 12) is DISMISSED with prejudice; and
4. The Clerk serve a copy of this Decision and Order on Plaintiffs.

IT IS SO ORDERED.



D.J. Hurlin
United States District Judge

Dated: June 22, 2011
Utica, New York.